

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:16-cv-00177-RJC**

BETTY P. ALLEN,

Plaintiff,

v.

**A. PERRI, Doctor;
SUSAN DENISE STUREGESS, M.D.;
CAROLINAS MEDICAL MAIN,
CHARLOTTE, NC;
PIEDMONT EMERGENCY
MEDICINE ASSOCIATES, PA;
CHARLOTTE-MECKLENBURG
HOSPITAL AUTHORITY,
d/b/a CAROLINAS HEALTHCARE
SYSTEM; CAROLINAS MEDICAL
CENTER—UNIVERSITY; TIM
WOOD, Mecklenburg County Clerk;
CHRISTOPHER MAURIELLO,**

Defendants.

ORDER

THIS MATTER comes before the Court on Pro Se Plaintiff's Motion for Reconsideration. (Doc. No. 7).

The Court previously found that Plaintiff failed to file her Complaint within the statute of limitations, and therefore, the Court dismissed the Complaint on May 9, 2016. (Doc. No. 5). The Court further noted that, even if Plaintiff's action was not time-barred, Plaintiff's civil rights claim under 42 U.S.C. § 1983 was without merit because none of the defendants qualify as state actors. (*Id.*). Therefore, the Court dismissed Plaintiff's Complaint with prejudice. (*Id.*).

Although not specified, it appears Plaintiff is now moving for the Court to reconsider its dismissal of her action, as she states she is "asking for a reversal of decision." (Doc. No. 7).

Plaintiff's motion is treated as a motion for relief from judgment under Rule 60(b) of the Federal Rules of Civil Procedure. The disposition of motions under Rule 60(b) is a matter within the discretion of the district court. Werner v. Carbo, 731 F.2d 204, 206 (4th Cir. 1984). A party seeking relief under Rule 60(b) must make a showing of timeliness, a meritorious defense, a lack of unfair prejudice to the opposing party, and exceptional circumstances. Id. at 206–07. Plaintiff fails to present any meritorious defense or exceptional circumstances. The Court finds, therefore, that Plaintiff has not made the requisite showing that she is entitled to relief pursuant to Rule 60(b). Accordingly, her Motion must be **denied**.

IT IS, THEREFORE, ORDERED that Plaintiff's Motion for Reconsideration, (Doc. No. 7), is **DENIED**.

Signed: August 25, 2016

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

